IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 11323 of 2004

Between:

1. Vadla Jeetha Chary, S/o. Late Brahmaiah,
R/o. H.No. 2-91, Nizampet,

Quthbullapur Mandal, Ranga Reddy District.

2. Vadla Veeraiah, S/o. Late Laxmaiah,
R/o. H.No. 2-91, Nizampet,

Quthbullapur Mandal, Ranga Reddy District.

..... PETITIONERS

AND

1 The Government of A.P., Rep. by its Secretary,
Revenue Department, Secretariat, Hyderabad.
2 The District Collector, Ranga reddy District,
Lakdikapool, Hyderabad.
3 The Revenue Divisional Officer, Ranga reddy District East Division,
Hyderabad.
4 The Mandal Revenue Officer, Quthbullapur Mandal, Ranga Reddy District.
Hyderabad.
5 Smt. Y. Sudha Rani, W/o. Setarama Lingam
R/o. Plot No. 6, Chandragiri Society, Trimalgherry, Secunderabad - 500015.
6 Smt. Y. Krishra Kumari, W/o. Y. Narayana Rao,
R/o. Plot No. 6, Chandragiri Society, Trimalgherry, Secunderabad - 500015.
7 Smt. Y. Vijaya Laxmi, W/o. Late Satyanarayana,

R/o. Plot No. 311, Road No. 25, Jubilee Hills, Hyderabad 500 034.

8 Vadla Satyanarayana, S/o. V. Laxmaiah,
R/o. Nizampet Village, Quthbullapur Mandal, Ranga Reddy District.

9 Vadla Sankaraiah, S/o. V. Laxmaiah,
R/o. Nizampet Village, Quthbullapur Mandal, Ranga Reddy District.

10 Vadla Pandu, S/o. V. Laxmaiah,
R/o. Nizampet Village, Quthbullapur Mandal, Ranga Reddy District.

11 Vadla Nagesh, S/o. Satyanarayana,
R/o. Nizampet Village, Quthbullapur Mandal, Ranga Reddy District.

12 Vadla Srinivas, S/o. V. Satyanarayana,
R/o. Nizampet Village, Quthbullapur Mandal, Ranga Reddy District.

13 Sri. C. Sudhakar, S/o. Late C. Venkatesham,
R/o. H.No. 6-3-663/15/Am Jafar Ali Bagh, Somajiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or directions more particularly one in the nature of Writ of CERTIORARI calling for the records relating to A/727/1997, dated 16-12-1999, A/6036/98, A/8195/99, dt. 6-12-1999, C/150-2001, dt. 30-04-2001 on the file of the Respondent No.4 and file No.A2/09/2000, dt.18.1.03 and file No.A/1121/03, dt.11.6.04 on the file of the respondent No.4 and consequently quashing the orders of mutations issued by respondent No.4 under file No. A/1121/03, dated 11-06-2004 since as the same is arbitrary, illegal and unconstitutional and against to the principle of natural justice and contrary to the provision of the law in the interest of justice.

Counsel for the Petitioners: MR.V.VENKATA KUMAR

Counsel for the Respondents 1 to 4: GP FOR REVENUE

The Court made the following:

ORDER:

This writ petition is filed by the petitioners, who are the respondents before the lower authority, which passed the order in Proceedings No.A/1121 of 2003, dated 11.06.2004, which is stated to have been passed when a *de novo*

enquiry was ordered by the appellate authority.

2. The grievance of the petitioners is that instead of conducting *de novo* enquiry as ordered by the appellate authority, the fourth respondent passed the order by conducting enquiry with a different subject matter. Therefore, the impugned order is liable to be quashed. However, the learned counsel appearing for the 13th respondent stated that there is an effective alternative remedy of appeal before the authorities, therefore, the present writ petition is not maintainable.

3. Under the above circumstances, this Court declines to entertain this writ petition and accordingly dismissed the same, directing the petitioners to approach the appellate authority, within a period of three weeks from the date of receipt of a copy of this order.

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S.ANANDA REDDY,J

Dated: 6th July, 2004

Lsk/Vgb.

To

1 The Government of A.P., Rep. by its Secretary,
Revenue Department, Secretariat, Hyderabad.
2 The District Collector, Ranga reddy District,
Lakdikapool, Hyderabad.
3 The Revenue Divisional Officer, Ranga reddy District East Division,
Hyderabad.
4 The Mandal Revenue Officer, Quthbullapur Mandal, Ranga Reddy District.
Hyderabad.

5 2 C.Cs. to the Government Pleader for Revenue(OUT)
6 Two C.D.Copies.

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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WRIT PETITION NO : 11323 of 2004

Dated: 6th July, 2004